

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

January 28, 1999 LB 24

counties that has an unknown and it just opens the door to.... It's an unknown. That's why...that's my problem with it.

SENATOR CROSBY: Senator, you need to speak into the mike.

SENATOR QUANDAH: Sorry. That's it.

SENATOR CROSBY: Thank you, Senator Quandahl. Senator Kristensen.

SPEAKER KRISTENSEN: Thank you, Madam President, members of the Legislature. Senator Quandahl, I, in terms of the cost, Senator Landis's bill, there's going to be so few of those cases here I don't...I don't think that that's probably a burdensome thing to the county. My...to remove any confusion, my discussion was the impact of the court ruling on all these cases where you may have a guardian ad litem and an attorney, which is the broad base of those. I wouldn't...I don't want to cast any confusion. I don't think Senator Landis's bill's going to have a huge fiscal impact on, and in fact I've not looked at the fiscal note, but I'd be surprised if it's...there couldn't be more than, what, Senator Landis, half dozen a year? I'd be surprised if that. I think it's a de minimis amount, but I just wanted to remove that confusion. Thank you, Madam President.

SENATOR CROSBY: Thank you, Senator Kristensen. Senator Bromm.

SENATOR BROMM: Thank you, Madam President. At least from my experience, the practical side of this is that the court will not be likely to appoint an attorney unless there's a significant issue, such as property division involved in a long marriage and maybe a fair amount of resources to divide. In that situation, the court generally has awarded the fees to be paid by one party or the other since there are resources and property to support that. So I think the situation where the court will find that neither party has the ability to pay the fee of that attorney and that...that the county should pay the fee will be...will be very rare. And so I think I feel the impact will be...it is unpredictable, but I think it will be very, very minimal. Thank you, Madam President.

SENATOR CROSBY: Thank you, Senator Bromm. Any further